

*Aff*



NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants: Spiros Jamas, D. Davidson Easson, Jr. and Gary R. Ostroff

Serial No.: 10/719,432                      Group: 1614

Filed: November 21, 2003                      Examiner: Delacroix Muirheid, Cybille

Confirmation No.: 5697

For: UNDERIVATIZED, AQUEOUS SOLUBLE  $\beta$  (1, 3) GLUCAN,  
COMPOSITION AND METHOD OF MAKING SAME

|   |                           |
|---|---------------------------|
| <b>CERTIFICATE OF MAILING OR TRANSMISSION</b>   |                           |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: |                           |
| <u>10-7-05</u>  | <u><i>Jane Morgan</i></u> |
| Date  | Signature                 |
| <u>JANE MORGAN</u>  |                           |
| Typed or printed name of person signing certificate   |                           |

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

10/12/2005 BABRAHA1 00000094 10719432

01 FC:2401  
02 FC:2252

250.00 OP  
285.00 OP

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 7, 2005 of the Examiner finally rejecting claims 1-4. The item(s) checked below are appropriate:

1.    ☐    Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated [            ] for [            ] month(s) from [            ] to [            ].
2.    ☒    A two month extension of time to respond to the Office Action Made Final dated April 7, 2005 was filed on August 23, 2005 with payment of a \$225 fee.  
  
         ☒    Applicant hereby petitions for an additional one month extension of time to respond to the Office Action Made Final.
3.    ☐    A Request for Oral Hearing before the Board of Patent Appeals and Interferences is being filed concurrently herewith.

## 4. Fees are submitted for the following:

|                                     |   |      |                   |
|-------------------------------------|---|------|-------------------|
| <input type="checkbox"/>            | Extension of Time for [      ] month(s) | \$   | _____             |
| <input checked="" type="checkbox"/> | Additional Extension of Time:           |      |                   |
|                                     | Fee for Extension (3 mo.)               | \$   | <u>510</u>        |
|                                     | Less fee paid (2 mo.)                   | - \$ | <u>225</u>        |
|                                     | Balance of fee due                      | \$   | <u>285</u>        |
| <input checked="" type="checkbox"/> | Notice of Appeal                        | \$   | <u>250</u>        |
| <input type="checkbox"/>            | Other _____                             | \$   | _____             |
|                                     | TOTAL                                   | \$   | <u><u>535</u></u> |

## 5. The method of payment for the total fees is as follows:

- ☒ A check in the amount of \$535 is enclosed.
- ☐ Please charge Deposit Account No. 08-0380 in the amount of \$[      ].

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH, REYNOLDS, P.C.

By Pamela A. Torpey  
Pamela A. Torpey  
Registration No.: 45,736  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: October 7, 2005